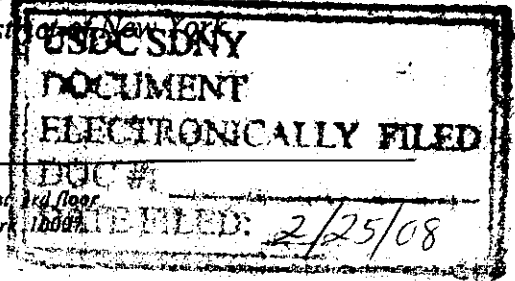
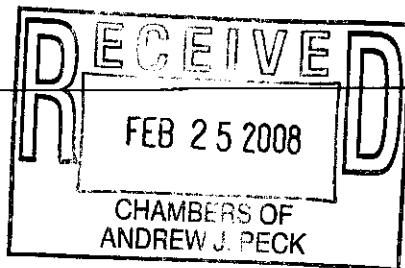




United States Attorney
Southern District of New York



86 Chambers Street, 3rd floor
New York, New York 10007

February 25, 2008

BY FAX

Honorable Andrew J. Peck
United States Magistrate Judge
United States District Court
500 Pearl Street
New York, New York 10007

MEMO ENDORSED 2/25/08

Govt answer and motion for judgment on the pleadings due 4/25/08. Plaintiff's answer due 5/23/08.

Re: Cheryl Gibbs v. Astrue
07 Civ. 10563 (GBD) (AJP)

SO ORDERED:

[Signature]
Hon. Andrew Jay Peck
United States Magistrate Judge

BY FAX

Dear Judge Peck:

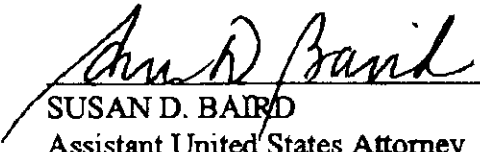
The Government's answer in the above-referenced case is due February 25, 2008. In addition, the Court issued an order requiring the Government to file a motion for judgment on the pleadings by March 6, 2008, and plaintiff to respond to the motion by March 27, 2008. Because we have just received the administrative record for this case and the Social Security Administration needs additional time to evaluate its litigation position in this matter, we respectfully request that the answer date and briefing schedule be adjourned as follows: answer by April 25, 2008, Government motion for judgment on the pleadings by May 23, 2008, and plaintiff's response by June 13, 2008.

We have attempted to obtain the consent of plaintiff, who is proceeding pro se, to this proposed adjournment. We sent her a letter on February 4, 2008 concerning the proposed adjournment. When she had not responded to the letter by February 20, 2008, we called her. She stated that she planned to speak to an attorney on February 21, 2008, and would then advise us whether she would consent to the proposed adjournment. As of today, we have not heard from

her again. No prior adjournment has been requested in this case. We appreciate the Court's consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By: 
SUSAN D. BAIRD
Assistant United States Attorney
tel. (212) 637-2713
fax (212) 637-2750

cc: BY FEDERAL EXPRESS
Cheryl Gibbs
Plaintiff pro se
594 Union Avenue, Apt. 2D
Bronx, New York 10455

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: February 25, 2008

Total Number of Pages: 3

TO	FAX NUMBER
Susan D. Baird, Esq.	212-637-2750

TRANSCRIPTION:

MEMO ENDORSED 2/25/08

Gov't answer and motion for judgment on the pleadings due 4/25/08. Plaintiff's opposition papers due 5/23.

**Copies to: Cheryl Gibbs (Regular & Certified Mail)
Judge George B. Daniels**